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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,)	Case No. CR-13-00408-JST
)	
13 Plaintiff,)	
)	
14 v.)	MR. HUSSAIN'S RESPONSE TO
)	COURT'S INTENDED JUROR
15 MUZAFFAR HUSSAIN,)	QUESTIONNAIRE
)	
16 Defendant.)	
)	
17)	
18)	

19 **I.**

20 **POTENTIAL WITNESSES**

21 Mr. Hussain respectfully submits a list of witnesses that *may* testify at trial:

22 Names of Witnesses Who May Testify At Trial:

23 Bates Nos. US058678 – US058899

- 24
- 25 1. SA Randy Krueger
 - 26 2. Amjad Saiyed
 - 27 3. Andy Dhillon
- 28

- 1 4. Grace Duncan Rowe
- 2 5. Ahmed Ali
- 3 6. Arezou Dadgar
- 4 7. Lorenzo Fryer
- 5 8. Naheed Hussain
- 6 9. Munsoor Behbahany
- 7 10. Jacob Eapen
- 8 11. Susan Arteche
- 9 12. Sandra Lew
- 10 13. Phil Murphy
- 11 14. Naeem Wahab
- 12 15. Jawed Wahab
- 13 16. Ravi Panjabi
- 14 17. Simin Siddiq
- 15 18. Quazi Iqbal
- 16 19. Renu Khetrapal
- 17 20. Ryan Bedel
- 18 21. Dr. Kalaru
- 19 22. Sourjya Misra
- 20 23. Reggie Panganiban
- 21 24. Manuela Higgins
- 22 25. Muzaffar Hussain
- 23
- 24
- 25
- 26
- 27
- 28

Bates Nos. US348058 – US348211

1. Willie Wilcox
2. Francesca Aguilera
3. Victor Opoayo Olabintan
4. Mark Claybrooks
5. Sheila Proctor
6. Carleton Booker
7. Angela Booker
8. Erika Booker
9. George Duffy
10. Guadalupe Robles
11. Ivan Luna
12. SA Alan Keene
13. Mario Cortez
14. Mary Cortez
15. Tyson Zeches
16. Valerie Livingood
17. SA Anthony Arementano
18. Etan Rosen
19. Fred Winn
20. Gayla Thompson
21. Mykael Morgan
22. AUSA Maureen Bessette

23. Toni Martin

24. Veronica Nelson-King

25. Frank McNulty

Other Witnesses

1. Frank Wischart, CPA

2. Kenneth Seideman, CPA

3. Expert on IRS collection procedure

4. Expert on IRS procedure

Pursuant to Local Criminal Rule 17.1-1, Mr. Hussain has calendared seven days prior to October 16, 2015 as the date for filing a pre-trial conference statement, including a list of witnesses. Mr. Hussain is continuing to investigate this matter, and expects to identify and, potentially disclose additional witnesses, particularly from the bates numbers above-identified. Mr. Hussain has identified, to the best of his ability, since the date of this Court's order on September 11, 2015 setting a due date of September 16, 2015, as many potential witnesses as possible. For reasons expected to be further explained in Mr. Hussain's motion to continue, it is not expected that Mr. Hussain will be able to complete the Wilcox investigation by the time of the due date of the pretrial conference statement on October 9, 2015.

II.

PROPOSED ADDITIONAL QUESTIONS FOR THE JUROR QUESTIONNAIRE

Mr. Hussain requests that the Court consider including the following questions for the Juror Questionnaire:

1. Please circle any of the following in which you have had any training or education:
- | | | |
|---------------------|---------------------|---------------|
| a. DNA | b. Criminal Justice | c. Counseling |
| d. Criminology | e. Law Enforcement | f. Psychology |
| g. Law | h. Medicine | i. Forensics |
| j. Federal Taxation | k. Tax Law | l. Accounting |
| m. Bookkeeping | | |
2. Do you have any feelings, bias or concerns about Arab Americans particularly as it may relate to questioning their honesty, integrity or loyalty to the United States? _____
3. **WITHOUT MENTIONING ANY NAMES**, have you, or anyone you know, been required to testify in a criminal or civil case involving taxes? _____
4. **WITHOUT MENTIONING ANY NAMES**, have you, or anyone you know, been too afraid to testify, testify truthfully, report a crime, or report a crime truthfully, out of fear of retaliation? If YES please explain: _____
5. The name of the defendant in this case is Muzaffar Hussain. Do you have any feelings about this case after hearing the defendant's name? _____
6. Do you have any feelings, bias or concerns relating to individuals who may be of the faith of Islam? _____
7. What are your feelings about expert witnesses or expert witness testimony? _____
8. Which of the following describes you? (please circle all that apply)
- | | | | | |
|---------------|--------------|------------------|--------------|--------------------|
| a. Analytical | b. Careful | c. Compassionate | d. Emotional | e. Family Oriented |
| f. Judgmental | g. Kind | h. Opinionated | i. Quiet | j. Religious |
| k. Sensitive | l. Skeptical | m. Spiritual | n. Happy | |
- Other _____
9. What newspapers, journals, or periodicals do you read? (either in print or on-line) _____
10. How often do you use a computer? The internet? _____
11. What are your two favorite television shows? _____

12. To which unions or professional organizations do you belong?

13. What do you enjoy doing in your spare time? _____

EMPLOYMENT

1. If you are now retired or are disabled, please list your former occupation: _____

2. If you are disabled, please state the nature of your disability and any accommodations required if you serve: _____

3. If you are presently a student, please give the following information:

School/Subject

Year

Full or Part-Time

4. Do you have any health problems that might limit your ability to concentrate on the evidence during the trial or otherwise prevent you from performing the duties of a juror?

Yes _____ No _____

If yes, please explain: _____

5. Please list prior jobs or occupations:

Job Title:

Years:

Name/Location of Employer:

6. Please state your spouse or partner's present occupation and employer:

7. If you are divorced or widowed, what was your former spouse's occupation:

8. Do you belong to any unions or professional organizations?

9. Have you ever studied or received any training or had any experience Law, Criminology or Criminal Justice, Medicine, Psychology or other Science? If yes, please explain:

10. Have you ever served in the armed forces? Yes ___ No ___ Please explain:

POLITICAL, RELIGIOUS, AND OTHER ORGANIZATIONAL AFFILIATIONS

1. Are you involved with a church and with church activities? Yes ___ No ___

2. Have you ever had a negative experience with a religious group or organization?
Yes ___ No ___ If yes, please explain:

3. Please list any civic, social or charitable organizations you belong to:

4. Do you or any members of your immediate family or household belong to any groups which monitors the criminal justice system or takes a position on legislation affecting the criminal justice system (i.e. Mothers Against Drunk Driving, National Rifle Assoc., Bay Area Women Against Rape, American Civil Liberties Union, victims rights groups, etc.)? Yes ___ No ___
If yes, please state the name of the organization(s) and your degree of involvement:

CRIMINAL JUSTICE SYSTEM

1. Have **you** ever been the victim of a crime? Yes ___ No ___
If yes, please explain and include where, when, the nature of the crime, and any injuries or losses you suffered for each such occurrence:

2. Have any members of your family or household or close friends ever been the victim of a crime?
Yes ___ No ___ If yes, please explain each such occurrence:

3. Have you ever been a witness to a crime? Yes ___ No ___ If yes:
a. Did you report the crime to the police? Yes ___ No ___ If no, why not?:
b. Did you give a statement to the police? Yes ___ No ___
c. Did you have to make any type of identification of the suspect (i.e., view pictures of suspects or attend a lineup, etc.)? Yes ___ No ___ If yes, please explain:
d. Did you ever have to testify at a hearing or trial? Yes ___ No ___

- 1 4. Have you, any family member or close friend ever witness an arrest?
 2 Yes ___ No ___ If yes, please describe the circumstances:
 3 _____
 4
 5 5. Have you ever called the police for any reason?
 6 Yes ___ No ___ If yes, please explain:
 7 _____
 8
 9 6. Have you, a family member, or any close friend, ever worked for, or been friends with
 10 anyone who worked for, any court or law enforcement agency including, but not limited
 11 to, the following:
 12 a. any police agency
 13 b. any prosecuting attorney's office
 14 c. any criminal defense office
 15 d. the judiciary (state, county or federal courts)
 16 Yes ___ No ___ If yes, please explain:
 17 _____
 18
 19 7. Have you, a family member, or any close friend ever worked in the legal profession, or
 20 been close friends with someone who worked in the legal profession?
 21 Yes ___ No ___
 22 If yes, please explain: _____
 23

GENERAL LEGAL PRINCIPLES

- 18 1. As a juror, you will be instructed that you must judge the testimony of each witness by the
 19 same standards, setting aside any bias or prejudice that you might have. Would it be hard
 20 for you to follow this instruction if:
 21 a) Some of the witnesses are law enforcement officers, and others are not?
 22 Yes ___ No ___
 23 b) The witness has religious beliefs that are unusual or different from your own?
 24 Yes ___ No ___
 25 c) The witness is from a different racial or ethnic group than you are?
 26 Yes ___ No ___
 27 d) The witness is from a different socioeconomic status (more or less wealthy) than
 28 you are? Yes ___ No ___
 e) The witness has an immigration status different than yours?
 Yes ___ No ___
 If yes to any of the above, please explain:

MISCELLANEOUS FINAL QUESTIONS

1. Is there anything else you feel is important for you to tell the Judge or the attorneys?

Dated: September 16, 2015

Respectfully submitted,

BAY AREA CRIMINAL LAWYERS, PC

By: /s/David J. Cohen

DAVID J. COHEN, ESQ.

Attorneys for Defendant **Muzaffar Hussain**